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PATENT  
Atty. Dkt. No. MRKS/0091

REMARKS DEC 07 2006

This is intended as a full and complete response to the Office Action dated September 13, 2006, having a shortened statutory period for response set to expire on December 13, 2006. Please reconsider the claims pending in the application for reasons discussed below.

Claims 38-43, 61, 66, 67, 70-72, 85, 110, 113, 115, 116, and 118-120 are rejected, and claims 1-6, 8, 10, 13-35, 55-58, 81-84, 87, 99, 100, 102-109, 112, 114, and 117 are indicated to be allowable by the Examiner. Claims 86 and 111 are objected to by the Examiner but would be allowable if redrafted in independent form.

Claims 1-6, 8, 10, 13-35, 38-43, 55-58, 61, 67, 70-72, 81-85, 87, 99, 100, and 102-108, 112-117, and 119-148 remain pending in the application after entry of this response. Claims 66, 86, 109-111, and 118 have been canceled without prejudice. Claims 1, 22, 23, 28, 32, 34, 38, 61, 67, 85, 119, and 120 have been amended and new claims 121-148 have been added. No new matter has been added by either the amendments or new claims. Applicants do not believe that the amendments to claims 1, 22, 23, 28, 32, and 34 affect the allowability of these claims. New claims 138-140 are claims 1, 32, and 34, respectively (before current amendment thereto).

#### ***Claim Rejections Under 35 USC § 102***

Claims 38-43, 66, 85, 110, 113, 115, and 116 are rejected under 35 U.S.C. 102(b) as being anticipated by *Quigley* (6,148,866). Claims 66 and 110 have been canceled. Claim 85 has been amended to incorporate claim 86, which was allowable if redrafted in independent form and claim 113 depends from claim 85.

Regarding claims 38-43 and new claims 141-148, *Quigley* does not teach, suggest, or disclose either one or more helical corrugations formed in both inner and outer surfaces of a tubular wall, as recited in amended claim 38 or a helically corrugated wall having a substantially uniform thickness, as recited in new claim 141. *Quigley* discloses a composite tube 10 having a liner 12. The liner has grooves 15 formed on an exterior surface thereof. *Quigley* never discloses that forming the grooves effects an inner surface of the liner (col. 10, lines 14-24). It also apparent from FIG. 1 of *Quigley*,

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that the wall thickness of the liner 12 is substantially reduced by the grooves 15. FIG. 9 illustrates an energy conductor formed as part of composite layer 14. Therefore, claims 38, 141, and their dependents are patentable over Quigley.

Regarding new claims 122 and its dependents, *Quigley* does not teach, suggest, or disclose male and female corrugated end portions configures to mate with respective female and male end portions of a second tubular. Therefore, claim 122 and its dependents are patentable over *Quigley*.

Claims 61, 66, 85, 110, and 118-120 are rejected under 35 U.S.C. 102(b) as being anticipated by *Pascoe* (1,827,437). Claims 66, 110, and 118 have been canceled. Claim 61 has been amended to incorporate claim 109, which was allowed. Claim 85 has been amended to incorporate claim 86, which was allowable if redrafted in independent form and claims 119 and 120 have been amended to depend from claim 85. Withdrawal of the rejection is respectfully requested.

Regarding new claims 122 and its dependents, *Pascoe* does not teach, suggest, or disclose male and female corrugated end portions configures to mate with respective female and male end portions of a second tubular. Therefore, claim 122 and its dependents are patentable over *Pascoe*.

Regarding new claims 141 and its dependents, *Pascoe* does not teach, suggest, or disclose an elongate element disposed in one or more troughs of the corrugations. Therefore, claim 141 and its dependents are patentable over *Pascoe*.

Claims 67 and 70-72 are rejected under 35 U.S.C. 102(b) as being anticipated by *Tassone* (5,358,358). Claim 67 has been amended to incorporate claim 111, which was allowable if redrafted in independent form and claims 70-72 depend from claim 67. Withdrawal of the rejection is respectfully requested.

Regarding new claims 122, 141 and their dependents, *Tassone* does not teach, suggest, or disclose a metal tubular. Therefore, claims 122, 141, and their dependents are patentable over *Tassone*.

### ***Claim Objections***

Claims 86 and 111 are objected to by the Examiner as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all

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of the limitations of the base claim and any intervening claims. Claims 86 and 111 have been canceled. Withdrawal of the objection is respectfully requested.

***Conclusion***

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,

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